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UNITED STATES DISTRICT COURT
 IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAULA LABRIE, ALFREDO MACIAS,
 PETER MILLMAN, TOM CHORTABTIM,
 RAF SISON

Plaintiffs,

v.

UPS SUPPLY CHAIN SOLUTIONS, INC.

Defendant.

Case No. 3:08-CV-03182-PJH

**[PROPOSED] ORDER GRANTING
 PLAINTIFFS' MOTION FOR
 CONDITIONAL CLASS
 CERTIFICATION AND NOTICE**

Hearing Date: March 18, 2009

Hearing Time: 9am

Location: Courtroom 3

Honorable Phyllis J. Hamilton

LEONARD CARDER, LLP
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1 On March 18, 2009, this matter came on for hearing before this Court, the Honorable
 2 Phyllis J. Hamilton presiding, on the Motion for Conditional Class Certification and Notice, filed
 3 by Plaintiffs. This Court, having read and considered the moving and responding papers and the
 4 oral arguments presented, and the matter having been duly heard, IT IS ORDERED that the
 5 motion be and is hereby GRANTED.

6
 7 Plaintiffs are former pickup and delivery drivers for Defendant UPS Supply Chain
 8 Solutions, Inc. (SCS), a national corporation and division of United Parcel Service, which
 9 provides expedited, often same-day, pick-up and delivery services for its business customers.
 10 They raise claims under the federal Fair Labor Standards Act, 29 U.S.C. §§ 206, 207, 255(a),
 11 seeking unpaid minimum wages and overtime compensation.¹ They seek to recover these unpaid
 12 wages on behalf of themselves and on behalf of a class of other similarly-situated current and
 13 former SCS drivers. Plaintiffs ask this Court to conditionally certify a class of such drivers
 14 pursuant to 29 U.S.C. § 16(b) and order that notice issue to the class alerting them to their right to
 15 opt in.

16
 17 Through the Second Amended Complaint and the evidence before the Court, Plaintiffs
 18 have made substantial allegations that they are “similarly situated” to other current and former
 19 SCS drivers under 29 U.S.C. § 16(b), and that permitting this case to proceed as a collective
 20 action would promote judicial economy and avoid the risk of inconsistent judgments. Pursuant to
 21 *Hoffman-LaRoche v. Sperling*, 439 U.S. 165 (1989), notice should issue to the class. The form of
 22 notice and consent form submitted by Plaintiffs is sufficient and consistent with others found
 23 proper in this District.

24
 25 THEREFORE, IT IS HEREBY ORDERED THAT:

26 Plaintiffs’ Motion for Conditional Certification and Notice is GRANTED;

27
 28 ¹ While Plaintiffs also raise claims under California, they are not at issue in the instant motion.

The Court CONDITIONALLY CERTIFIES a class consisting of:

All persons in the United States who perform or performed delivery services for Defendant UPS Supply Chain Solutions, or for its predecessor entities, as purported “independent contractors” and who file written Consents to Become Party Plaintiffs in this Action, for the period commencing three years prior to filing of such Consents;

The five plaintiffs who filed this action shall be the class representatives, and Leonard Carder, LLP shall be class counsel;

SCS SHALL PRODUCE a complete class list in Excel format, including names and addresses, within thirty (30) days of this order, and

Plaintiffs’ proposed Notice of Lawsuit and Consent to Become Party Plaintiff are APPROVED.

Dated: _____

PHYLLIS J. HAMILTON
United States District Judge

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